

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA

Plaintiff,

v.

RICHARD KEITH LATMAN,

Defendant.

No. CR 06-0101-JLR

**UNOPPOSED MOTION AND ORDER
CONTINUING TRIAL DATE**

Note on Motion Calendar:
May 12, 2006

I. UNOPPOSED MOTION.

The defendant, Richard Keith Latman, by and through his attorney, WOLFE LEINBACH, P.S, and John W. Wolfe, moves this Court for an order sticking the current June 13, 2006 trial date and continuing this case until Tuesday, September 19, 2006. This motion is based upon the following facts and supported by the accompanying declaration of John W. Wolfe:

1. On March 23, 2006, Mr. Latman was charged in a three count indictment with Conspiracy to Conceal Assets and Make False Oaths and False Statements, Count 1 and Concealing Assets, Counts 2 and 3. Mr. Latman voluntarily appeared before this Court and was arraigned on Thursday, April 6, 2006. He was released on an Appearance Bond pending trial. Trial is currently scheduled to commence on June 13, 2006.

2. This case is reasonably complex. Discovery involves voluminous documents which are being electronically scanned and which will be produced to defense counsel in electronic form. Thereafter, defense counsel will be required to convert these electronic images to hard, paper copies. In addition, the government anticipates that there may be “a number” of out of State witnesses.
3. Defense Counsel has professional scheduling conflicts that prevent him from being able to prepare for and try this case during May and June and personal scheduling conflicts would conflict with his being prepared to try this case before September 2006.
4. In addition, Mr. Richard Latman, the defendant herein, has scheduling conflicts which require a continuance of this case until September, 2006 and has executed a Waiver of Speedy Trial Rights which accompanies this Unopposed Motion and Order.
5. Failure to continue this case until September, 2006 will deny defense counsel reasonable time to effectively prepare for trial.
6. The Court’s Docket Clerk has advised counsel that the Court could start this trial on Tuesday, September 19, 2006.
7. Based upon the scheduling conflicts confronting defense counsel, the complexity of the case, and the various legal issues which counsel for both parties must address prior to trial, the parties believe that the interests of justice would best be served by continuing the trial date in this case until Tuesday, September 19, 2006.
8. Assistant United States Attorney Donald Currie, who is assigned to prosecute this case, discussed this motion with defense counsel and does not oppose the entry of an order continuing the trial date until September 19, 2006 so

1 long as the defendant, Richard Latman, executes a satisfactory speedy trial
2 waiver.

3 **II. FINDINGS AND ORDER CONTINUING TRIAL DATE.**

4 Based upon the factual recitals set forth above, the Court makes the following findings:

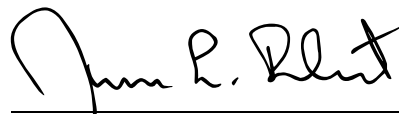
- 5 1. The Court finds that a failure to continue this case until September 19,
6 2006 would deny defense counsel reasonable time to effectively prepare
7 for trial, taking into account the exercise of due diligence, within the
8 meaning of 18 U.S.C. 3161 (h)(8)(B)(iv).
- 9 2. The Court finds that the ends of justice served by continuing this case
10 until September 19, 2006 so as to provide defense counsel with reasonable
11 time to effectively prepare for trial outweigh the best interest of the public
12 and the defendant in a speedy trial within the meaning of 18 U.S.C.
13 3161(h)(8).

14 IT IS THEREFORE ORDERED that the current trial date of June 13, 2006 is stricken
15 and the trial date in this matter is continued until Tuesday, September 19, 2006 at 9:00 a.m.
16 and the current deadline for filing pretrial motions is extended until July 20, 2006.

17 IT IS FURTHER ORDERED that the period of time between the filing of the
18 Defendant's Unopposed Motion to Continue the Trial Date and the new trial date of
19 September 19, 2006, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C.
20 3161.

21 IT IS SO ORDERED.

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23 DATED THIS 8th day of May, 2006.

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JAMES L. ROBART
United States District Judge

1 PRESENTED BY:

2 WOLFE LEINBACH, P.S.

3
4 /s/ John W. Wolfe
5 John W. Wolfe
6 Attorney for Richard Latman
7 WSBA # 8028

8 APPROVED AS TO ENTRY:

9 UNITED STATES ATTORNEY
10 WESTERN DISTRICT OF WASHINGTON

11
12 Don Currie per email authorization
13 Donald Currie
14 Assistant United States Attorney